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Attorney for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CONCRETIZE, INC.,

Civil Action No. 3:08-cv-213-BR

Plaintiff,

v.

FIRESHIELD, INC. et al.,

Defendants.

VOLUNTARY DISMISSAL WITH
PREJUDICE OF CLAIMS AGAINST
THIRD-PARTY BYRON WHIPPLE

FIRESHIELD, INC.

Third-Party Plaintiff

vs.

BYRON WHIPPLE,

Third-Party Defendant.

VOLUNTARY DISMISSAL WITH PREJUDICE
OF CLAIMS AGAINST THIRD-PARTY BYRON
WHIPPLE - 1

Defendant and Third-Party Plaintiff Fireshield, Inc. and Third-Party Defendant Byron Whipple hereby inform the court that they have settled their respective claims for relief asserted in this case. It is hereby stipulated by the parties, through their counsel, that all claims in this action may be dismissed without prejudice and that each party shall bear its costs and attorney's fees.

ORDER


Therefore, this matter having come before the Court pursuant to the agreement of the parties:


IT IS HERBY ORDERED that all claims in this action are dismissed ~~without~~ *with* prejudice and that each party shall bear its own cost and attorneys fees. *with aff 1-25-10*

DATED this *25th* day of *January* 2010.


United States District Judge

Stipulation Confirmed and Jointly Presented by:


Mark L. Lorbiecki (Pro Hac Admission)
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Byron Whipple
Pro se

Attorneys for Third Party Plaintiffs
Fireshield, Inc

DEFENDANT FIRESHIELD, INC.'S THIRD-
PARTY COMPLAINT AGAINST BYRON
WHIPPLE - 2

HYDR-6-1002 Voluntary Dismissal of BW.doc

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing VOLUNTARY DISMISSAL WITH PREJUDICE OF CLAIMS AGAINST THIRD-PARTY BYRON WHIPPLE on:

Matthew A. Levin, OSB #003054
Stacy R. Owen, OSB #074826
MARKOWITZ, HERBOLD, GLADE
& MEHLHAF, P.C.
Suite 3000 Pacwest Center
1211 S.W. Fifth Avenue
Portland, OR 97204

By causing a full, true, and correct copy thereof, addressed to the last-known office address of the attorney, sent by the following indicated methods or methods, on the dated set forth below:

_____ by **mailing** in a sealed, first-class postage-prepared envelope and deposited with the United States Postal Service at Portland, Oregon.

_____ by **hand-delivery**.

_____ by sending via **overnight courier** in a sealed prepaid envelope.

_____ by **faxing** to the attorney at the fax number shown above, which is the last-known fax number for the attorney's office.

XXX by **Notice of electronic filing** using the cm/ECF system.

DATED: This 23rd day of January, 2010.

BLACK LOWE & GRAHAM^{PLLC}

s/ Mark L. Lorbiecki
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DEFENDANT FIRESHIELD, INC.'S THIRD-
PARTY COMPLAINT AGAINST BYRON
WHIPPLE – 3

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